

# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) ( <i>if applicable</i> )	
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

## **Supporting Statement**

### **A. Justification**

1. The RMS Titanic Maritime Memorial Act of 1986 (Section 5(a)) directs the National Oceanic and Atmospheric Administration (NOAA) to enter into consultations with the United Kingdom, France, Canada and others to develop international guidelines for research on, exploration of, and, if appropriate, salvage of RMS Titanic. The guidelines are to (1) be consistent with the national and international scientific, cultural, and historical significance of RMS Titanic and the purposes of the Act, and (2) promote the safety of individuals involved in such operations.

Section 6 of the Act directs DOS to enter into negotiations with the United Kingdom, France, Canada and others to develop an international agreement that provides for: (1) designation of RMS Titanic as an international maritime memorial; and (2) research on, exploration of, and if appropriate, salvage of RMS Titanic consistent with the international guidelines developed pursuant to section 5 and the purposes of the Act. The proposed guidelines being published for comment are primarily based on the agreement and annexed rules resulting from international negotiations with the above-referenced nations and others.

The primary objective in developing the proposed guidelines has been to further the efforts to protect RMS Titanic as a maritime memorial and as an internationally significant resource of science, culture, and history.

2. Project designs will be reviewed as they are submitted. The information submitted by respondents will be used by NOAA and peer reviewers to ensure that scientific and professional approaches and methodologies are used in research on, exploration of, and salvage of the RMS Titanic. Additionally, review of project designs will be used to ensure the protection of the scientific, cultural, and historical significance of the RMS Titanic and its artifacts. Submissions will also be reviewed for the safety of individuals conducting activities at the site.

Interim reports shall be made available according to a timetable set out in the project design and provided to relevant national authorities. Reports shall include: a) an account of the objectives; b) an account of the methodology and techniques employed; c) an account of the results achieved; and d) recommendations concerning conservation of any artifacts removed during the course of the project.

Without the above information, NOAA would not be able to assess the potential resource impacts from the proposed activity, coordinate the timing of activities at this site, ensure safety of the activities, or assess progress on projects.

The importance and use of specific information required for each part of the project design are described below:

(a) the objectives of the project

The identification of the project objectives is of primary importance for determining whether the project is in the public interest.

(b) a general description of the methodology and techniques to be employed

This information will help reviewers determine whether the planned approach is appropriately designed to accomplish the identified objectives. The methodology and technique are also very important for determining whether the project is in the public interest.

(c) a description of anticipated funding

This information is helpful for determining whether the planned funding is adequate for accomplishing the project objectives pursuant to the proposed methodology and techniques. Inadequately funded projects often result in the irreparable loss of important scientific and historic information.

(d) a provisional timetable for completion of the project

This information is also helpful in determining whether the project is in the public interest. The timetable is relevant for determining whether the planned objectives may reasonably be accomplished using the proposed methodology, with the available funds. Since there is a very limited summer season appropriate for most expeditions, the time table is very helpful in determining how professional the operation is. It is also information helpful for the safe coordination of multiple projects being planned here in the United States and abroad.

(e) the composition, qualifications and responsibilities of the anticipated team

The accomplishment of project objectives is largely dependant upon the professional team that is put together. This information is helpful for ensuring that those tasked with tasks to be conducted by professionals have the appropriate qualifications and/or experience.

(f) the proposal for or results of all preliminary work

This information provides the scientific and technical foundation for the project design. It may also reveal how well planned the project is.

(g) if applicable, plans for post-fieldwork

This information is helpful in validating the project objectives and thus the relative public interest in the project itself.

(h) if applicable, a conservation and curation plan

If the project involves the recovery or salvage of artifacts, then the plans for conserving the artifacts and curating them is critical in determining whether RMS *Titanic* is being protected or destroyed by the project. This also is a primary factor in determining whether the project is a benefit to the public or presents a risk of the irretrievable loss of information and resources.

(i) a documentation program

Projects often result in an irretrievable loss of important information of interest to the public. The provenance data or contextual information must be carefully recorded in accordance with current professional standards and kept together with the artifacts. Therefore, information about the documentation program will help ensure that such information is being properly documented and that the public will have access to such information in the future.

(j) a safety policy

Because expeditions to RMS *Titanic* can be very dangerous, the Titanic Act expressly requested that safety be addressed in the guidelines. This information is helpful in determining whether there are proper plans and policies for a safe expedition.

(k) if applicable, arrangements for collaboration with museums and other institutions

This information is helpful in ensuring that the public will benefit from the project through access and collaboration.

(l) report preparation, contents, and dissemination

This information is similarly helpful in ensuring that the public will benefit from the project by ensuring that the results are published and disseminated to the public.

(m) if applicable, the anticipated disposition of archives, including artifacts

This information is critical for ensuring that there is a record as to where these irreplaceable artifacts and information are to be maintained.

(n) if applicable, a program for publication

This information helps in determining whether the project reports are going to be made available to the scientific community and others. As such, it is also part of the public interest balancing for projects.

(o) amendments and contingency plans

The importance of this information depends on the particular discovery or change of circumstances, however, the need for such information is identical to all of the reasons set forth in (a)-(n) and may directly affect whether the project will benefit the public through increased knowledge or harm the public through the destruction of RMS Titanic as a scientific, archaeological, or historical resource.

3. There is currently no electronic or automated submission procedure in place for this process. However, it is anticipated that in the future electronic submission will be allowed.
4. No such guidelines are currently in place. Congress has directed that NOAA develop international guidelines to protect the RMS Titanic. Formal international negotiations commenced in 1997. From 1997 to 2000, delegations representing the Governments of Canada, the Republic of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America conducted negotiations in London and by video-conference to develop the text of an international agreement concerning the shipwrecked vessel RMS Titanic. Negotiations were held on September 29 and December 1, 1997; February 12, 1998; January 12, June 18, and December 2, 1999; and January 5, 2000. During the negotiation process, various technical experts in law, science, history, and salvage, including RMST, were periodically consulted in developing the draft agreement and guidelines.
5. The collection of information required by the guidelines will have minimal impact on small entities such as small businesses, organizations, or government bodies, as the majority of permit proposals will be for activities conducted by either large institutions (academic institutions, salvage companies, management agencies, etc.).
6. If the information collection is not conducted or is conducted less frequently, then it is likely that efforts to protect the R.M.S. Titanic as a maritime memorial and as an internationally significant resource of culture, history and science would be thwarted. Furthermore, the information collection associated with the proposed guidelines will promote safety in activities conducted at the site and scientifically sound, professional research, exploration, and salvage.
7. No special circumstances exist, are foreseen or anticipated requiring the collection of information to be conducted in a manner inconsistent with the OMB guidelines.
8. As indicated in the legislative history of the Act, R.M.S. Titanic is the resting place for over 1500 men, women, and children that lost their lives when it sank. As such, many view it as a gravesite. Of course, it is also of great interest to salvors, scientists, archaeologists, historians, naval architects, educators, the media, and the general public. Accordingly, representatives of these diverse user groups were consulted and their interests were carefully balanced in preparing these proposed guidelines. Additional public comment will be solicited on the draft guidelines.

Additionally, the proposed guidelines are based on the rules annexed to an agreement that resulted from the negotiations discussed in above (see #4).

9. No payment or gift will be provided to any respondents.
10. Applicants are requested to indicate any information that is considered proprietary business information. NOAA will make all possible attempts to protect such proprietary information, consistent with applicable FOIA law, should any FOIA request be made.
11. No sensitive questions are asked.
12. The following considerations and assumptions were made in determining the estimated hours of burden of the collection of information.
  - It is assumed that an applicant has much of the required data at hand. The nature of the Titanic site , several miles deep and several hundred miles out into the ocean, means that any serious applicant will have appropriate technical data at hand and knowledge based on experience at similar sites. An applicant without the appropriate designated experience would not be considered for a permit.
  - A Conservation Plan requires an experienced underwater artifact conservation expert and facilities. The plan must conform to professional standards such as those prepared by the American Institute for Conservation (AIC) (there are presently no federal guidelines and the AIC is the only U.S. professional conservation association that specifically conserves underwater artifacts). NOAA maintains a list of qualified conservators (taken from the AIC list) and makes those contacts available to all permit applicants upon request.
  - A Curation Plan involves securing a curatorial facility that stores artifacts in a manner compliant with 36 CFR 79 (Curation of Federally-owned and Administered Artifact Collections). Museums accredited by the American Association of Museums (AAM) and the Council of American Maritime Museums (CAMM) are generally in compliance with 36 CFR 79. Contacts for each of these associations would be available to applicants. A curation plan can be put together by following the standards set forth in the guidelines.
  - Our assessment assumes no more than two hours each to communicate with facilities to secure a conservator and curatorial facility. Using the above noted documents as a template, an applicant should be able to prepare conservation and curation plans in a reasonable amount of time.

Given the above, the following projections were made. The cost of information collection to the respondents (and the Federal government) is derived from them.

- A total of 6 respondents is expected over the next three years (an average of 2 per year). The number may vary from year to year, but this number is an estimate of the maximum number of respondents.
- Each respondent responds twice (once for the project design, once for reporting).
- An average response time of 24 hours is estimated for submitting the project design and reporting (assuming one report per project per year).

See Table 1 for the calculation of the annual burden.

Note: Without knowledge of the scope of an applicant's proposal and the applicant's experience, we cannot estimate the amount of time to document the provenance, etc. of artifacts.

13. The cost to applicants (other than burden hours described in #12) is estimated to be \$30/year for copying and mailing of required plans and documentation.
14. The annual cost of information collection to the Federal government is derived from the following projections:

Projections stated in item #12 above.

Seven (7) hours of communication between the Federal government agency contact and the respondent, Federal agency attorney, and Federal and international partners per project design submitted.

Eighteen (18) hours of project design evaluation by Federal government agency contact, in conjunction with Federal agency attorneys, Federal and international partners, and peer reviewers.

Six (6) hours of project monitoring and review per project.

See Table 2 for the calculation of the annual burden.

15. This request is a program change for new requirements.
16. Information collections will not be published.
17. Not applicable.
18. Not applicable.

## **B. Collections of Information Employing Statistical Methods**

This collection does not employ statistical methods.

**Table 1. Annual Burden Estimate for Applicant**

# of project submitted	2
responses/project	2
total responses	4
hours/response	12
total applicant hours	48
dollars/hour	30
<b>total cost</b>	<b>\$1440</b>

**Table 2. Annual Burden Estimate for Federal Government**

communication hours/project	7
evaluation hours/project	18
monitoring & review hours/project	6
projects/year	2
total Federal government hours	62
dollars/hour	40
<b>total cost</b>	<b>\$2480</b>